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## TRANSMITTAL FORM

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Total Number of Pages in This Submission

2

Application Number

10/808,235

Filing Date

3/24/2004

First Named Inventor

ANDERSON

Art Unit

1731

Examiner Name

MAHAFKEY, Kelly Jo

Attorney Docket Number

010032-000100US

### ENCLOSURES (Check all that apply)

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Remarks

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### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name  
CARPENTER & KULAS, LLP

Signature

Printed name  
John W. Carpenter

Date  
December 7, 2005

Reg. No. 26,447

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December 7, 2005

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of: Anderson et al  Serial No: 10/808,235  Filed: March 24, 2004  Title: AERATED CONFECTIONS AND METHODS FOR PREPARING THE SAME	Examiner: Kelly Mahafkey  Art Unit: 1761  Atty Docket No: 010032-000100US  Confirmation No. 5008
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Honorable Commissioner for Patents  
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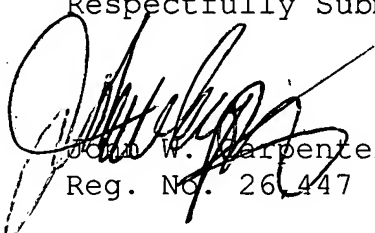
**RESPONSE TO NOVEMBER 8, 2005 OFFICE ACTION**

**(Amendment A)**

Sir:

In response to the Office Action of November 8, 2005, please be advised that Applicants are electing without prejudice the embodiments of the invention as presently claimed in Claims 1-11 and 19, all of which are drawn to a dry food particulate, classified in class 426, subclass 285.

Respectfully Submitted

  
John W. Carpenter  
Reg. No. 26,447